

PATHETIC SCENES MARK THE  
PROGRESS OF FOSBURG CASE.

Father and Sister of the Defendant, on the Witness Stand, Relate the Thrilling Incidents of the Night May Fosburg Was Killed—Child, Beatrice, Sobs Pitifully as She Tells Jury of the Song Her Sister Sang Shortly Before Her Death—Testifies She Saw "Pillow Cases With Eyes Looking Through Them."

## FATHER DESCRIBES THE VISIT OF THE BURGLARS.



ROBERT L. FOSBURG.



BEATRICE FOSBURG.

## SYNOPSIS OF THE FOSBURG TRIAL UP TO DATE.

The trial of Robert Stewart Fosburg on a charge of killing his sister May is no sooner fairly entered into than it becomes apparent that the Commonwealth of Massachusetts is depending entirely upon circumstantial evidence to convict. The theory of the State, as outlined by District Attorney Hammond and developed by the testimony, is that the defendant shot and killed his sister with his own revolver while quarrelling or just after a quarrel with his father, and that the burglary story was trumped up by the family to save the defendant from punishment.

The night dress worn by May Fosburg on the night she was killed, the bureau in her bedroom and the comb on the bureau are introduced in court as exhibits. The Court declines to permit the defense to show that Doctor Padlock, one of the State's chief witnesses, declared the morning after the killing that he believed May Fosburg was killed by a masked burglar.

The State springs a surprise when it causes it to become known that "Dirty Dick" Quinn, leader of the celebrated "wire gang," and who has all along been suspected of guilty knowledge of the happenings in the Fosburg home on the night of the killing, is under arrest and may be called upon to testify.

Experts on firearms are introduced by the State to prove that the shot which ended May Fosburg's life was fired within a foot of her body and that it was fired from a revolver purchased by Robert Fosburg a few days previous to the killing.

It is learned that Robert Fosburg's mother will testify in her own behalf and declare the story of the burglary and subsequent killing to be true. Witnesses introduced by the State to prove that there were no indications on the morning after the killing that the Fosburg home had been broken into by burglars are subjected to severe cross-examination by the defense and admit that the collar windows were open, the lattice work on one of the windows was broken and footprints were found outside the window.

Court adjourns from Friday evening till Monday morning. The Fosburg family spends Sunday in the cemetery where May Fosburg is buried, and the mother of the dead girl and the young man accused of his sister's murder declares, weeping over her daughter's grave, that her son is innocent of his sister's death.

James Fosburg tells the story of the night his sister May was killed. He admits that he saw no burglars and did not hear that they had been in the house until after he had gone for a physician. He declares he saw nothing and knew nothing except that his beloved sister was hurt.

The prosecution closes its case with the testimony of Chief of Police Nicholson, who makes no attempt to directly connect the accused with the crime charged, but offers statements intended to prove that members of the Fosburg family have misrepresented facts in regard to details of the case. Attorney Joyner for the defense begins his opening address to the jury.

REPUBLIC SPECIAL.  
Pittsfield, Mass., July 24.—  
And when for them the sunset gates unbar,  
Shall they not see her, waiting,  
stand,  
And, white against the evening star,  
The beckon of her welcoming hand?

Thus paraphrasing, Mr. Joyner closed his able address for the defense in the Fosburg case, and prepared for the stirring incidents of the day to follow.

It was a day of suffering for the defendant, and his parents, his wife and brothers and sisters.

The story of the night when May Fosburg was shot to death was told by the brave old father, and it was retold by his youngest daughter, no less brave than himself.

They stood before morbid sensation-seekers and told of those sacred last moments when their loved one's voice for the last time was raised in song.

"The Plains of Peace" she had sung, with Miss Sheldon at the piano. Father and daughter wept as they told of this, and in the courtroom there were many who wept with them.

The defendant suffered, as a strong man may suffer. With him were his wife and mother. Their anguish was no less poignant than his.

Carried back to that night of terror and grief, they lived again the moments of exquisite pain.

Twice during the afternoon the proceedings were halted by the emotions of the witnesses. The moments were painful, even to the Court, but they passed and the testimony continued.

FATHER AND SISTER  
SWEAR TO BURGLAR STORY.  
Both father and daughter told of burglars. Beatrice insisted that she had seen one of the burglars shoot her sister, and that after the shooting her brother rushed past her from his room in the rear. If this is true, he could not have fired the shot.

Mr. Fosburg caused something of a sensation by indicating his belief that one of the exhibits in the case was not genuine. He said that the hat, supposed to belong to one of the burglars, picked up in his home, is not the one offered in evidence. The hat has been in the possession of Chief of Police Nicholson.

He also said that he now has four detectives in his employ searching for the murderers of his daughter, and that it will not cease his efforts until justice is done.

LEADING TOPICS  
TO-DAY'S REPUBLIC.

THE SUN RISES THIS MORNING AT 4:54 AND SETS THIS EVENING AT 7:18.

For St. Louis and vicinity—Continued fair and hot, with slight change in the temperature—possibly a drop of two or three degrees. No rain expected for the next twenty-four hours.

For Missouri—Partly cloudy Thursday; not quite so warm in northwest portion. Friday partly cloudy; southerly winds, becoming variable.

For Illinois—Partly cloudy Thursday; probably local thunderstorms in northwest portion; not quite so warm. Friday fair; variable winds.

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1. Pathetic Scenes in Fosburg Trial.

Director General May Be Chosen Saturday.

Yesterday's Heat Prostrations in St. Louis.

St. Louis Elks Boom the City.

Schley's Request for Investigation Granted.

Women Gave Him Money to Bet. Uhlrig's Cave Will Close Saturday.

Effect of Heat Upon the Mind.

Facilities for Handling Heat Cases.

Corn, Oats and Wheat Market Stronger. Canned Goods in Demand.

Mercury Breaks Record in St. Louis.

Baseball Scores.

Dishes and Results at the Tracks.

Editorial.

Mississippi River Commission's Report. Gossip About St. Louisans.

Human Targets for Madman's Bullets.

Republic Want and Real Estate Advertisements.

Grain and Other Markets.

Financial News.

River Telegrams.

Merchants Favor Early Closing.

Hydraulic Experts to Meet Mayor. Transactions in Realty.

News From the East Side.

he was awakened by Mr. Shephardson, who told him there was trouble at the Fosburg home. Witness ran there, and saw Robert L. Fosburg, from whom he learned that May Fosburg was injured.

Witness called to his office to call a doctor. There he found Fosburg trying to get the physician.

He told of seeing the body of May Fosburg upon his return to the house. While upstairs he noticed that the end of the dresser was pulled out from the wall about one foot. This was the first time in the trial that evidence was introduced to show that the bureau was pulled away from the wall.

Going to the cellar he found the electric light turned on at the switch near the dining-room window. He found footprints in the dirt on the left side of the footpath.

The witness described the search that he made with the State officers. Mr. Lund said that he saw the defendant's pistol at the office on any day. He never saw the elder Mr. Fosburg with a pistol. He was shown the shoe which had been found around the Fosburg house, and he said he never saw the defendant or the defendant's father wearing it, or one like it.

FATHER OF DEFENDANT TELLS OF THE SHOOTING.

Robert T. Fosburg, the father of the defendant, was called. He began by describing the movements of his family from the time they came to Pittsfield till the day of the shooting. The defendant and his wife came to live with the witness about July 1. He said he employed about 20 men in his business as a contractor. They were mostly Italians, and came from New York. Mr. Fosburg described the day previous to the tragedy.

Mr. R. L. Fosburg had returned Saturday from St. Louis, where he had been for six weeks on account of the illness of his father. He spoke of Miss Sheldon on a visit to his house, having been there for two or three weeks.

Mr. Fosburg then told of the shooting. He said he was awakened by his wife; that he asked her what the trouble was. She told him that she had seen a light moving in the hallway. He raised himself upon his elbow and saw two men walking in the room toward his bed, one of them holding a revolver in his left hand and pointing it toward the face of the witness.

Mr. Fosburg sprang up, shouting, and got his feet upon the floor. He struck the man on the nose of the arm and knocked the revolver out of his grasp. Then he himself was struck with a sandbag, and he recalls nothing further till he got up and went to the kitchen, when he saw some one standing by the bedroom, looking out.

BURGLARS WERE PILLOW CASES FOR MASKS.

He thought that he went to the window a second time, and then to the first floor, where he saw Lund and Shephardson coming. Then he went upstairs. He did not know that he was hurt until attention was called to his left eye, which was entirely closed, and the side of his face, which was black. He did not say anything to the family about his wounds.

"On the subject of what had been done to detect the burglars, Mr. Fosburg spoke of employing four detectives. He offered a reward of \$1,500 for the arrest of the men, and that offer still holds.

At this point the court took a recess. After recess Mr. Joyner continued his cross-examination of Mr. Fosburg. He asked the witness if he could describe the man who came into his room, and Mr. Fosburg said that they wore pillow cases over their heads for masks, and that one of the men was taller than the other.

At this point District Attorney Hammond began his cross-examination of the witness. In response to a question, Mr. Fosburg said that the pillow cases were pulled down over the heads of the burglars, with the corners sticking up, and that they extended over the brows of the men.

The next thing he remembers is that he heard Beatrice cry: "Oh, mamma, look at May; she is hurt!" He then went back and saw his daughter on the floor, her mother by her side, and James leaning over her head. Robert, the defendant, came into the room and fell down. Beatrice brought some water, and the witness threw it into his son's face.

The witness then ran to the front window and cried: "Police, murder; help; we want help!" Mrs. Plumb came to the window of her house to inquire if anything was

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UNCLE SAM TRIES TO LOCATE A RAIN.  
DIRECTOR GENERAL MAY  
BE CHOSEN SATURDAY.

Howard Elliott Still Most Prominently Mentioned for the Important Position—Board of Directors Will Hold a Special Meeting Saturday, at Which the Committee's Choice May Be Submitted for Approval—Duties of Historical Committee Defined—Suggestions for Educational Exhibit—Chairman for the Manufacturers Committee Is Also to Be Named—The State University Exhibit.

## APPOINTMENT OF A WOMEN'S AUXILIARY BOARD CONSIDERED.

Several applicants for the position of Director General of the Louisiana Purchase Exposition were disposed of by the Committee on Organization at its meeting yesterday afternoon.

"Several applications for the place have been received from time to time," remarked a member of the committee after the meeting. "Some of them were of a nature to evoke mirth rather than serious consideration. Several men, of whom none of the committee had ever heard, boldly made formal application for the important place. These applicants were formally voted out of it."

The committee also discussed available men for the place. These were chiefly men who had not applied, and who, if selected, would have to be pressed into the service. All the members of the committee declined to accept of the names of the men who had been discussed.

"We have reached no conclusion as to the Director General," said President Francis after the meeting. "The committee will meet again on Saturday morning, and it is highly probable that it will decide against the names of the men who have been discussed. The board of directors will have charge of at least seven-tenths of the exhibit work."

Judge Boyle, vice chairman of the Foreign Relations Committee, will hold an informal conference with members of the Missouri Committee yesterday in St. Louis in conference. The board of directors will have charge of at least seven-tenths of the exhibit work.

On the grounds of the University at Columbia stands the monument which was originally placed on the grave of Thomas Jefferson. It is a plinth and truncated pyramid of granite, so weathered that the corners are rounded and the inscription almost obliterated. This will be exhibited at the Fair.

WOMEN'S AUXILIARY BOARD UNDER CONSIDERATION.  
Several of World's Fair committees are waiting for the proclamation of President Charles H. Schreder, appointed by the Executive Board of the Missouri State University. The report discusses in detail the character of the exhibit which the university proposes to make, and asks that \$50,000 be set apart for the university purposes.

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## SUMMARY OF THE DAY'S HEAT NEWS.

The highest temperature in St. Louis yesterday was 107.1 degrees; breaking all records.

The forecast for to-day indicates no rain and little if any decrease in temperature. Facilities provided by the city for handling heat cases were taxed to the limit. Forty-three deaths directly traceable to the heat were reported in the city.

Temperatures throughout the West as reported by The Republic's special correspondents, ranged quite as high yesterday as they did on Tuesday. The exceptions were points where local thunderstorms and rain had cleared and cooled the atmosphere.

These rains, were not, however, general enough in character to reduce the average temperatures of the States to any considerable extent.

The frequency of these showers and the large area which they visited gives the weather forecasters hope that the end of the terrible heat may be near at hand. Clarkburg and Linneus reported the highest temperatures in Missouri, 115.

Greater humidity was present yesterday, which accounts for the large number of deaths and prostrations reported.

DEATHS FROM HEAT  
INCREASE IN NUMBER.

Forty-Three Fatalities Reported in St. Louis, the Result of the Extreme High Temperature—Mortality in Other Cases Grows—Prostrations Reported Up to 1 O'Clock This Morning Number Seventy-Two.

Forty-three deaths directly traceable to the intense heat and seventy-two prostrations were reported yesterday and up to 1 o'clock this morning.

All classes and conditions of society, and all sections of the city, contributed their share of the victims, although a majority of the cases reported were of persons in the middle and poorer walks of life, whom necessity compelled to brave the rays of the sun. The long and wearying siege of heat had enfeebled and weakened their constitutions through sheer irritability to sleep, rest or obtain proper nourishment, so that when the record-breaking temperature of yesterday came these unfortunates fell easy victims.

The physicians and attendants at the City Hospital and Dispensaries were overworked as they have not been in many a day, and several of them were forced to receive treatment themselves to avert threatened prostration. The ambulances at all the branch Dispensaries, re-enforced for the occasion, were on the run continuously from 5 o'clock yesterday morning until this morning.

Toward midnight a cooling breeze swept through the city, bringing slight relief to the unfortunates in the congested tenement districts. The hospital physicians, however, look forward to another visitation to-day, and have made arrangements to increase the facilities for handling the additional cases which they confidently expect.

Eighty burial permits were filed with Mortuary Clerk Reber for registry yesterday. The official list of the week shows that there were more than 600 deaths. Twenty-seven of yesterday's permits were for burial of heat victims, death in the twenty-seven cases being directly attributable to the abnormal temperature. The causes assigned in these cases were: heat, fever, prostration, sunstroke and heat prostration.

Prostrations Reported.  
Fred Walcott, 20 years old, overcome at Second and Mallinckrodt streets; serious. Thomas Miller, 44 years old, No. 1412 Olive street; condition not serious.

An unidentified man from No. 107 Tenth street; condition serious.  
John McCoy, a negro, No. 310 North Ninth street; condition not serious.

Fred Wachter, 46 years old, No. 1444 Monroe street.  
John Remke, No. 1415 Blair avenue; condition serious.

Thomas Foley, 55 years old, No. 1326 Chestnut street; condition not serious.  
Charles Ermer, No. 2012 Gravois avenue. E. J. Huston, Ninth and Pine streets; condition serious.

Adam Schnell, 57 years old, Seventh and Spruce streets.  
James Shaw, fireman at the Ritz Hotel; condition probably not serious.

Mrs. Mary Bresinger; condition serious.  
Otto Buchholz, 40 years old, No. 1924 South Seventh street.  
John Johnson, 34 years old, No. 1105 Franklin avenue.

Richard Curran, 53 years old, No. 512 Walnut street; condition serious.  
Peter West, 30 years old, No. 2010 South Second street.

Martin Cederstrom, 37 years old, No. 2840 Hickory street; condition serious.  
August Nister, 15 years old, found at Vandeventer and Olive streets.

Theodore Rothner, 19 years old, Second and Arsenal streets.  
Edward F. Fohl, 22 years old, No. 109 North Sixth street; condition not serious.

William Lee, a negro, 64 years old, No. 2009 Morgan street.  
Thomas Haley, fireman at the Merchants' Exchange; condition not serious.

Charles H. Schreder, 29 years old, 224 Adams street.  
John Bane, 40 years old, No. 1947 Gravois avenue.  
Chas. Jurgens, 30 years old, fireman for the St. Louis Blast and Furnace Company. Steven Hall of No. 1510 Gay street, a negro.

Gerry Smith, 67 years old, a printer, of No. 105 North Seventh street.  
Emil Mandel, picked up at Fourteenth and Market streets.

Gus Romacher, 28 years old, of No. 1413 South Second street.  
An unidentified man who was found at No. 1811 Market street.

Henry Brannan, 29 years old, a laborer, of No. 305 South Third street; condition serious.  
M. W. Bossmann, taken to City Hospital from No. 6111 Horton place.

Karl Thompson, 68 years old, taken to City Hospital from No. 115 South Ninth street.  
An unidentified man of No. 1123 Lucas avenue.

Fred Britzer of No. 178 Dorcas street.  
Jacob Baumgartner, laborer at Anheuser-Busch Brewery, No. 1425 South Seventh street; not serious.

Marie Ward of No. 4016 Park boulevard.  
Joseph Weisich, 65 years old, of No. 702 North Fourth street.

Unidentified man, picked up at Second and Benton streets.  
Edward F. Fohl, of No. 1447 Blair avenue.

Emilie Galensie, 15 years old, of No. 2010 Wash street.  
George Brown, 61 years old, a baker, from Eighteenth street and Cass avenue.

## DEATHS FROM HEAT.

Mrs. Fredericka Ullrich, 80 years old, No. 2083 Shenandoah avenue; found dead sitting in a chair.

George Reiners, 68 years old, No. 140 Salisbury street.  
Mrs. Lizzie Schmidt, 53 years old, No. 3447 North Fourteenth street.

Edward Toomey, laborer, 28 years old, No. 422 South Third street.  
Charles Gierger, a porter, 50 years old, No. 117 South Second street; found dead in bed.

Unidentified man, 40 years old, supposed to have been George Meyers, a laborer; found dead in his room at the Erie House, No. 220 South Fourth street.

John McCoy, 70 years old, No. 600 South Spring avenue; died in ambulance on the way to the City Dispensary from the yards of the Frum-Bambick Construction Company.

Christ Burke, 34 years old, No. 1319 1/2 South Third street; tar roofed. Mrs. Minnie Krueger, a widow, 40 years old, rear of No. 1442 North Fourteenth street; found dead in bed.

John Boppie, 28 years old, No. 615 South Second street; sausage manufacturer.  
Jacob Schumacher, 42 years old, No. 412 South Third street; undertaker.

Christ Kemper, 59 years old, No. 2127 South Seventh street, a laborer; found dead in bed.

Frank Kincher, 52 years old, No. 3506 North Ninth street, a teamster; died in patrol wagon en route to the City Dispensary from his home.

Louis J. Blair, 33 years old, No. 1116 Monroe street.  
Joseph E. Farley, 8 months old, No. 508 North Channing avenue.

Joseph Stevie, 65 years old, No. 1367 O'Fallon street.  
John F. Murphy, 3 years old, No. 2317 North Ninth street.

Sarah Friedland, 79 years old, No. 3026 Franklin avenue.  
Catherine O'Toole, 80 years old, No. 6314 South Broadway.

Emma Nonish, 71 years old, No. 2633 Morgan street.  
Ellen Burke, 44 years old, No. 1219 North Ninth street.

Peter J. Jennings, 19 years old, No. 344 Dorcas avenue.  
Frank Stephenson, 11 months, No. 3027 Dodder street.

Laura K. Eyster, 49 years old, No. 3621 North Eleventh street.  
Ernest Frederick, 25 years old, No. 2301 North Broadway.

Marla Schneider, 72 years old, No. 1409 South Broadway.  
John Paschen, 50 years old, No. 2549 Hebert street.

Mary Fechtery, 1 year, No. 288 North Eleventh street.  
John Vail, 35 years old, a teamster, who was prostrated by the heat Tuesday, and taken to the City Hospital. He lived at No. 3119 Macklin avenue.

Mrs. Emily Strabler, 62 years old, of No. 245 De Kalb street, who was prostrated Monday and was taken to the City Hospital.

Charley Cahill, a baby 5 months old, of No. 1812 Olive street; died at the City Hospital.

J. W. O'Brien of Kirkwood, who was prostrated by the heat at 1:30 Monday and was taken to the City Hospital.

Charles Schaeffer, 51 years old, cigarmaker, died at his home, No. 1423 Second street.

Unidentified man, about 50 years old, found dead in front of No. 6845 Manchester avenue.

Oscar Dilato, 64 years old, who was taken to the City Hospital Tuesday from No. 5141 Fair avenue, foreman of machine shop No. 3 city works; not serious.

Peter West, laborer, No. 1055 Chestnut street; not serious.

Will Mercer, 45 years old, No. 3011 Laclede avenue.

Edward Hengal, 35 years old, No. 225 Whittier street.

Patrick Kinney, 55 years old, No. 272 Cass avenue.